

1 AN ACT concerning parks and recreation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Park
5 and Recreational Facility Construction Act.

6 Section 5. Definitions. As used in this Act:

7 "Department" means the Department of Natural Resources.

8 "Grant index" means a figure for each park or recreation
9 unit equal to one minus the ratio of the park or recreation
10 unit's equalized assessed valuation per capita to the equalized
11 assessed valuation per capita of the park or recreation unit
12 located at the 90th percentile for all park or recreation units
13 in the State. The grant index shall be no less than 0.35 and no
14 greater than 0.75 for each park or recreation unit; provided
15 that the grant index for park or recreation units whose
16 equalized assessed valuation per capita is at the 99th
17 percentile and above for all park or recreation units in the
18 State shall be 0.00.

19 "Park or recreation unit" means the governmental unit of
20 any public park, park district, park and recreation district,
21 recreational facility, or recreation system established under
22 the Park District Code, the Chicago Park District Act, the
23 Metro-East Park and Recreation District Act, or the Illinois
24 Municipal Code.

25 "Park or recreation unit construction project" means the
26 acquisition, development, construction, reconstruction,
27 rehabilitation, improvement, architectural planning,
28 installation, maintenance, and upkeep of (i) capital
29 facilities consisting of buildings, structures, durable
30 equipment, and land for park or recreation purposes and (ii)
31 open spaces and natural areas, as those terms are defined in
32 Section 10 of the Illinois Open Land Trust Act.

1 Section 10. Grant awards. The Capital Development Board is
2 authorized to make grants to park or recreation units for park
3 or recreation unit construction projects with funds
4 appropriated by the General Assembly from the Park and
5 Recreational Facility Construction Fund pursuant to the
6 provisions of this Act.

7 Section 15. Grants. The Department is authorized to
8 determine grant eligibility for park or recreation unit
9 construction projects and shall determine the priority order
10 for park or recreation unit construction project grants to be
11 made by the Capital Development Board. When grant eligibility
12 has been determined for a park or recreation unit construction
13 project, the Capital Development Board shall notify the park or
14 recreation unit of the dollar amount of the park or recreation
15 unit construction project's cost that the park or recreation
16 unit will be required to finance with non-grant funds in order
17 to qualify to receive a park or recreation unit construction
18 project grant under this Act from the Capital Development
19 Board. The Department shall thereafter determine whether a
20 grant shall be made.

21 Section 20. Grant application; facilities plan. Park or
22 recreation units shall apply to the Department for park or
23 recreation unit construction project grants. Park or
24 recreation units filing grant applications shall submit to the
25 Department a facilities plan that shall include, but not be
26 limited to, an assessment of present and future park or
27 recreation facility needs as required by present and
28 anticipated park or recreational programming, the availability
29 of local financial resources including current revenues, fund
30 balances, and unused bonding capacity, a fiscal plan for
31 meeting present and anticipated debt service obligations, and a
32 maintenance plan and schedule that contain necessary
33 assurances that new, renovated, and existing facilities are

1 being or will be properly maintained. The Department shall
2 review and approve park or recreation unit facilities plans
3 prior to determining eligibility and authorizing grants. Each
4 park or recreation unit that is determined to be eligible shall
5 annually update its facilities plan and submit the revised plan
6 to the Department for approval.

7 Section 25. Eligibility and project standards.

8 (a) The Department shall establish eligibility standards
9 for park or recreation unit construction project grants and
10 approve a park or recreation unit's eligibility for a park or
11 recreation unit construction project grant pursuant to the
12 established standards. These standards shall include minimum
13 service population requirements for park or recreation unit
14 construction project grants.

15 (b) The Capital Development Board shall establish project
16 standards for all park or recreation unit construction project
17 grants provided pursuant to this Act. These standards shall
18 include the determination of recognized project costs that
19 shall be eligible for State financial assistance and enrichment
20 costs that shall not be eligible for State financial
21 assistance.

22 Section 30. Priority of construction projects. The
23 Department shall develop standards for the determination of
24 priority needs concerning park or recreation unit construction
25 projects based upon approved facilities plans. These standards
26 shall call for prioritization based on the degree of need and
27 project type in the following order:

28 (1) Replacement or reconstruction of park or
29 recreation unit facilities destroyed or damaged by flood,
30 tornado, fire, earthquake, or other disasters, either
31 man-made or produced by nature;

32 (2) Projects designed to address population growth or
33 to replace aging park or recreation unit facilities;

34 (3) Replacement or reconstruction of park or

1 recreation unit facilities determined to be severe and
2 continuing health or life safety hazards;

3 (4) Alterations necessary to provide accessibility for
4 qualified individuals with disabilities; and

5 (5) Other unique solutions to facility needs.

6 Section 35. Grant amounts; permitted use; prohibited use.

7 (a) The product of the park or recreation unit's grant
8 index and the recognized project cost, as determined by the
9 Capital Development Board, for an approved park or recreation
10 unit construction project shall equal the amount of the grant
11 the Capital Development Board shall provide to the eligible
12 park or recreation unit. The grant index shall not be used in
13 cases where the General Assembly and the Governor approve
14 appropriations designated for specifically identified park or
15 recreation unit construction projects.

16 (b) In each fiscal year in which park or recreation unit
17 construction project grants are awarded, of the total amount
18 awarded statewide, 20% shall be awarded to the Chicago Park
19 District, provided that the Chicago Park District complies with
20 the provisions of this Act, and 80% shall be awarded to park or
21 recreation units outside of the City of Chicago.

22 (c) No portion of a park or recreation unit construction
23 project grant awarded by the Capital Development Board shall be
24 used by a park or recreation unit for any on-going operational
25 costs.

26 Section 37. Carry over projects. If a park or recreation
27 unit has been determined eligible for a park or recreation unit
28 construction project, has arranged and approved all local
29 financing, and is eligible to receive a park or recreation unit
30 construction project grant award in any fiscal year, but does
31 not receive such award in that year due to lack of adequate
32 appropriations, those park or recreation unit construction
33 projects shall continue to be considered for grant awards for
34 the following fiscal year.

1 Section 40. Supervision of park or recreation unit
2 construction projects. The Capital Development Board shall
3 exercise general supervision over park or recreation unit
4 construction projects financed pursuant to this Act. Park or
5 recreation units, however, must be allowed to choose the
6 architect and engineer for their park or recreation unit
7 construction projects, and no project may be disapproved by the
8 Department or the Capital Development Board solely due to a
9 park or recreation unit's selection of an architect or
10 engineer.

11 Section 50. Referendum requirements. After the Department
12 has approved all or part of a park or recreation unit's
13 application and made a determination of eligibility for a park
14 or recreation unit construction project grant, the park or
15 recreation unit shall submit the project or the financing of
16 the project to a referendum when the referendum is required by
17 law.

18 Section 55. Rules.

19 (a) The Capital Development Board shall promulgate such
20 rules as it deems necessary for carrying out its
21 responsibilities under the provisions of this Act.

22 (b) The Department shall promulgate such rules as it deems
23 necessary for carrying out its responsibilities under the
24 provisions of this Act.

25 Section 60. Capital needs assessment. The Department and
26 the Capital Development Board shall file with the General
27 Assembly a comprehensive assessment report of the capital needs
28 of all park or recreation units in this State before January 1,
29 2006 and every 2 years thereafter. This assessment shall
30 include, without limitation, an analysis of the 5 categories of
31 capital needs prioritized in Section 5-30 of this Act.

1 Section 900. The State Finance Act is amended by adding
2 Section 5.640 as follows:

3 (30 ILCS 105/5.640 new)

4 Sec. 5.640. The Park and Recreational Facility
5 Construction Fund.